

General Contractors

Missouri does not have a general contractors license. General contractors are licensed and regulated at the local level, city hall and/or county clerk's office.

Web: <http://www.sos.state.mo.us/elections/countyclerks.asp>. County commissions control construction, issue building permits etc. <http://www.moga.state.mo.us/statutes/c000-099/0640170.htm>

Corporate surety bonds are the preferred method of guaranteeing the performance of financial obligations of others. These guarantees include contractor performance and payment bonds, financial guarantee bonds, license and permit bonds and many others.

Contact your insurance agency for more information or:

The Surety Bond Association of America
1101 Connecticut Avenue, NW Suite 800
Washington, DC 20036
Phone: 202-463-0600
Web: <http://surety.org>

For Out of State Contractors Doing Temporary Projects in Missouri only:

Legal Structure:

Doing business in Missouri under your State's legal structure:

<http://www.sos.state.mo.us/BusinessEntity/default.asp> – Name Availability Check

Corporation – Register as a Foreign For Profit Corporation:

Application for Certificate of Authority for a Foreign For-Profit Corporation (Corp. 42)
(Instructions and Form):

<http://www.sos.state.mo.us/forms/corp/corp42.pdf>

Limited Liability Company – Foreign Limited Liability Company

Application for Registration of a Foreign Limited Liability Company (LLC 4)

<http://www.sos.state.mo.us/forms/corp/llc4.pdf>

Limited Partnership – Foreign Limited Partnership

Application for Registration of a Foreign Limited Partnership in Missouri (LP 42)

<http://www.sos.state.mo.us/forms/corp/lp42.pdf>

Limited Liability Limited Partnership – Foreign Limited Liability Limited Partnership

Application for Registration of a Foreign Limited Liability Limited Partnership in Missouri (LP 25)

<http://www.sos.state.mo.us/forms/corp/lp25.pdf>

Transient Employer License: Out of state companies who temporarily transact any business in the state of Missouri are defined as transient employers and are required to register, file a bond, and remit withholding tax to the Missouri Department of Revenue. Refer to the following link for more information on this and exemption criteria: <http://www.dor.state.mo.us/tax/business/register/forms/3032.pdf>

Form 2643: <http://www.dor.state.mo.us/tax/business/register/forms/2643.pdf> Register for Withholding Tax (Transient Employer - Bond required) and Missouri Corporate Income Tax (if a corporation).

Should you have any questions pertaining to the Transient Employer License you may also contact their office by telephone at: 573/751-0459.

State Licensing Requirements for Specific Construction Trades:

Boiler Pressure Safety Program – Heating

Boiler: A pressurized vessel in which water is heated, steam is generated, steam is superheated, or any combination of these, under pressure or vacuum by the direct application of heat. The term boiler includes fired units for heating or vaporizing liquids other than water where these units are separate from processing systems and complete within themselves.

Contact: Boiler & Pressure Vessel Unit
Division of Fire Safety
PO Box 844
Jefferson City, MO 65102
(800) 877-5688

Website: <http://www.mdfs.state.mo.us/dfsboil.htm>
<http://www.sos.state.mo.us/adrules/csr/current/11csr/11c40-2.pdf>
E mail: jimp@dfs.state.mo.us.

Air Conditioning : US EPA, Air & Toxics Division
901 North 5th Street
Kansas City, KS 66101
(913)551-7623
or
(800-223-0425)

Description: Certification of Technicians, Types I, II, III,
and universal to work on air-conditioning
and refrigeration equipment; (test required)
fee is set by the testing organization.

MVAC Technician Certificate required
for those working on vehicle air conditioners.

Persons and business entities engaged in either HVAC or MVAC work must register
their recycling/recovery equipment with this office.

Highway Excavation:

Permit Reviewer
MO Department of Transportation
P.O. Box 270
Jefferson City, MO 65102
Phone: (573) 751-4994

Web: <http://www.modot.state.mo.us/business/index.htm>

Environmental Permit Checklist - Dept of Natural Resources:

<http://www.dnr.state.mo.us/oac/pub1226.pdf>

Legal Structure

Anyone conducting business in the State of Missouri under a name other than their own legal name (e.g., John Doe), must register the business name with the Missouri Secretary of State. Missouri law allows businesses to operate under four forms or organization:

- sole proprietorship
- partnership – general and limited
- corporation -- C-Corp; S-Corp; Professional, Not-for-Profit; Foreign
- limited liability company – LLC

Each structure has its own advantages and disadvantages and there are many modifications and variations within these forms. The key to selection revolves around the concept of liability and taxation. You must decide which of these structures best suits your business. In choosing your business structure, consult with a qualified accountant and/or attorney who are familiar with your resources and objectives.

A description of the forms of organization and some of the advantages and disadvantages are discussed in *Starting A New Business In Missouri*. You can download forms on the web at:

<http://www.ded.state.mo.us/business/startabusiness/legalstructures.shtml>

or contact the Secretary of State's Office at (573) 751-3200.

Taxes

Understanding the taxes that apply to your business and how to meet the legal requirements of those taxes is critical. Consultation with an accountant or attorney is advisable.

Tax considerations are essential during the formation of a new business and during its entire life. When a business is just starting out, it may have little or no income or assets and the choice of structure may not seriously affect its tax liability. However, as the business grows, the tax implications become more significant.

Choosing a particular structure does not necessarily determine how the business will be taxed. The table found on page 26 of *Starting A New Business in Missouri* identifies the state and federal forms that must be filed for different business structures and compares the tax liabilities for the most common business structures.

Tax responsibility includes federal, state and local taxes. As a business owner you will be responsible for income taxes, payroll taxes, property tax and other miscellaneous taxes.

Any business making retail sales must obtain a Missouri Retail Sales License from the Missouri Department of Revenue. A bond, based on projected monthly gross sales is posted at the time of application. An application form (Form #2643) can be obtained from the Dept. of Revenue on the web at <http://www.dor.state.mo.us/dorforms.htm> or by calling 1-800-877-6881. Generally, a wholesaler or manufacturer will present a Sale/Use Tax Exemption Certificate (Form #149) to the seller showing the sale is exempt from sales tax.

For more information on taxes and access to printable copies of the required forms visit:

<http://www.ded.state.mo.us/business/startabusiness/businesstaxes.shtml>

Hiring Employees

Obtain a "Business Tax Kit" and a copy of "Circular E, Employer's Tax Guide" from your local IRS office or call 1-800-829-3676. "Circular E" explains federal tax withholding and Social Security tax requirements for employers as well as containing up-to-date withholding tables for you to use to determine how much federal income tax and Social Security tax is to be withheld from each employee's paycheck.

What Is Involved?

- Once you begin paying salary or wages to employees, you must collect taxes from your employees. The primary taxes are: federal and state income taxes, Social Security (FICA) and Medicare taxes.
- If you have not already done so, you must apply for a federal employer identification number (EIN) -- Form SS-4. This number is used to identify your business on payroll and income tax returns, as well as for other federal tax purposes. Corporations and partnerships must file Form SS-4 even if they have no employees.
- Have each employee complete an I-9 Employment Eligibility Verification Form and a W-4 form.
- Missouri require that all employers in Missouri report each newly hired employee to the Department of Revenue within 20 calendar days of hire.

For more information on your responsibilities as an employer, please contact our office or your local Workforce Development Career Center (formerly Job Service). To locate the nearest office, check the phone book or call (573) 751-3999 or http://www.works.state.mo.us/es_offices/index.htm

For a complete discussion on hiring employees, your responsibilities, and access to the required forms, refer to: <http://www.ded.state.mo.us/business/startabusiness/becominganemployer.shtml>

Resources:

In addition to information on the legal requirements, we think that you will find the following information helpful as you begin your business:

You can download copies of ***Starting a New Business in Missouri*** at:

<http://www.ded.state.mo.us/business/pdfs/startuppacket.pdf>

and ***Doing Business in Missouri*** at:

<http://www.ded.state.mo.us/business/startabusiness/doingbusinessinmissouri.shtml> two excellent publications on the process of starting and operating a business in Missouri.

Evaluating Your Business Idea www.umsi.edu/~smallbus/Evalbus.pdf

Guide to Writing A Business Plan www.umsi.edu/~smallbus/BusplanG/BusplanG.pdf

The Missouri Business Development Network is a partnership of the key resource providers in Missouri. Their website contains a vast array of helpful documents, links and information on starting and operating your small business. In addition, it contains a calendar of upcoming training and educational events throughout Missouri. www.missouribusiness.net

For information on resource providers and business counselors, refer to:

http://www.missouribusiness.net/service_centers.asp

For Information on local (city or county) requirements, contact the City Clerk and/or County Clerk. A list of county clerks is found on the Web at www.sos.state.mo.us/elections/countyclerks.asp

Missouri Lawyer Referral Service

Kansas City: (816) 221-9473 (Clay, Jackson, Platte & Ray counties)

St. Louis City & County: (314) 621-6681

Springfield/Greene County: (417) 831-2783

Rest of Missouri: (573) 636-3635

Web at <http://www.mobar.org/pamphlet/referral.htm>

Missouri Society of Accountants 1-800-959-4276

Web at: <http://www.missouri-accountants.com>